

# **Exhibit C**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GEORGE MOORE, et al., on )  
of himself and all others )  
similarly situated, )  
Plaintiffs, )  
vs. ) Case No.  
COMPASS GROUP USA, INC., d/b/a ) 4:18-cv-01962-SEP  
CANTEEN, )  
Defendants. )

VIDEO RECORDED DEPOSITION OF VIRGINIA CARTER  
TAKEN ON BEHALF OF DEFENDANTS  
August 3, 2023

PAMELA G. WILLIAMS, RPR  
MISSOURI CCR #880

1           A. I believe I was not. I don't know,  
2 honestly.

3           Q. Did you look at any documents in preparation  
4 for the deposition today?

5           A. No, I did not.

6           Q. Do you know who George Moore is?

7           A. Yes.

8           Q. Did you speak to Mr. Moore about this  
9 deposition?

10          A. No.

11          Q. Did you discuss your deposition with anyone  
12 else?

13          A. No.

14          Q. Have you ever asked to -- have you ever been  
15 asked to search for any documents related to the  
16 case?

17          A. Yes. A while back I was supposed to, it was  
18 about a maybe couple years ago, probably like four  
19 or five, but I was supposed to find bank statements  
20 and I was only able to find, like, a few. And I had  
21 given them to the Cornfeld's office.

22          Q. Okay.

23          A. But, yeah, there's probably only like maybe  
24 three or four. But I also was no longer banking  
25 with them at the time.

1 remember something about being a class action  
2 lawsuit, but other than that I don't remember  
3 details.

4 Q. Do you know you could have also filed an  
5 action as an individual versus a class action?

6 A. No, I did not.

7 Q. And when was the last time, other than that,  
8 the notice you received a few months ago, when was  
9 the last time you spoke to counsel about the case?

10 A. I want to say that was probably like the  
11 last time I spoke. I know, like, some people have  
12 called my phone just to let me know that they wanted  
13 to set something up, but dates weren't official  
14 until recently.

15 Q. Okay. How about before that conversation  
16 though about that notice, when was the -- the last  
17 time you had a substantive conversation -- Ask it  
18 this way.

19 When was the last time you had a  
20 conversation about the substance of the lawsuit with  
21 counsel?

22 A. Want to say about when I handed those  
23 documents, so probably about six years ago prior to  
24 the few months ago.

25 Q. And at some point in time you decided to

1       joked about Subway. About what free sandwich we  
2       were going to get that day.

3               MR. CORNFELD: Free sandwich?

4               THE WITNESS: Oh, yeah. The owner used to  
5       give me and him free sandwiches. Because half the  
6       time we weren't able to go anywhere for lunch and he  
7       knew it, so he would provide us sandwiches if we  
8       working that day.

9               Q. (By Mr. Brotman) Have you ever been  
10       convicted of a crime?

11              A. No.

12              Q. Are you aware of any pending criminal  
13       charges against you?

14              A. I have none.

15              Q. So you're familiar with the Compass vending  
16       machines that are at issue in this case?

17              A. Known as Canteen, yes, but I didn't know  
18       they went by Compass until I saw it on paper. I  
19       just know on the machine it said Canteen.

20              Q. And you've purchased items from the Canteen  
21       machines?

22              A. Yes.

23              Q. Where was the machine located?

24              A. Fifth floor in a break room area.

25              Q. And that was at 1010 Market Street in St.

1 Louis?

2 A. Yes.

3 Q. Did you -- you said there were two machines.  
4 You said one drink machine and one snack machine,  
5 right?

6 A. Yes.

7 Q. Did you make purchases from both?

8 A. Yes. That goes with the fact that I  
9 couldn't leave the building to get anything, so we'd  
10 have to use that machine.

11 Q. And as far as you know, were the same  
12 vending machines there for the duration of your  
13 employment at that building?

14 A. No, they got changed to -- they went with  
15 some different company prior to me leaving where you  
16 had to, they gave you this little card thing and you  
17 had to add money to it and then you would go and  
18 you'd pick items from the machine. There -- they --  
19 it was almost like a weird cafeteria type thing, but  
20 you, it was still some sort of vending machine, but  
21 I can't remember who they went with.

22 Q. And was there, those weird vending machines  
23 that you were just describing, was there a screen on  
24 there that would tell you what you're purchasing?

25 A. That, I don't remember. I want to say

1 maybe. I just remember that you would, you could  
2 look through the screen or look through this machine  
3 that you just put in the item and you just pick out  
4 you want. But I don't remember if it had a full  
5 interface screen or not.

6 Q. Okay. Do you remember approximately when  
7 those were installed as compared to when you left  
8 working at the building?

9 A. I want to say maybe five, maybe six months  
10 before I left that they started doing that. And, of  
11 course, everything was more expensive. I think it  
12 was like two dollars and something for a drink after  
13 that.

14 Q. Did you continue to purchase items even  
15 after they changed it to this new machine?

16 A. I did.

17 Q. Does the name was it a Market Place machine  
18 or something like that, does that help refresh your  
19 recollection at all?

20 A. That sounds, yeah, that sounds familiar.

21 Q. Are you aware of any other Canteen machines  
22 that you may have made purchases from?

23 A. In the same building or for somewhere else?

24 Q. Anywhere else. Or in the same building.

25 A. Yes, for when I worked for Verizon, I bought

1 drinks out of their machine. And sometimes Walmart.  
2 Pretty much wherever there's a soda machine if, I  
3 sometimes just get soda out of it if I'm just there.  
4 Malls, doesn't matter.

5 Q. And do you know if those are -- are Canteen  
6 machines or --

7 A. I don't know. I want to say -- I want to  
8 say the one in Verizon might be, but I'm not a  
9 hundred percent sure. Theirs was located on a, I  
10 want to say second, maybe third floor.

11 Q. Do you know if when you made purchases from  
12 those other machines you were charged ten cents  
13 extra for using a credit or debit card?

14 A. Yes.

15 Q. And do you know if there was any signs or  
16 notices on those machines about that ten cent  
17 charge?

18 A. Verizon does not have a -- does not have  
19 theirs labeled. Now, I don't know if that's changed  
20 since I left, but theirs is not labeled last time I  
21 was there.

22 Q. Do you recall approximately how many  
23 purchases you would have made out of the machines at  
24 1010 Market -- Market Street?

25 A. A lot. I don't remember all of them, but I



1 do remember quite frequently going up there because  
2 part of the reason why we weren't allowed to leave  
3 anywhere. So instead of having to buy out and have  
4 it delivered all the time, we'd go up to the vending  
5 machine because it was cheaper.

6 Q. And what types of items would you get from  
7 the vending machine?

8 A. Chips and soda. Mostly Mountain Dew when it  
9 came to soda. Chips, variety.

10 Q. How would you pay for the purchases?

11 A. Mostly credit card, but then when I had cash  
12 I'd use that.

13 Q. Can you estimate how many times you would  
14 use a credit or a debit card versus cash?

15 A. More frequently, than not. I don't remember  
16 all the times, but mostly I would always use credit  
17 card but I hardly -- hardly ever carried cash.  
18 Being in downtown St. Louis, you really don't want  
19 to carry cash.

20 Q. Okay. And was it convenient when you were  
21 able to use a credit or debit card?

22 A. Yes. Yeah, just, basically, swipe and go.

23 Q. And that was kind of a feature that was  
24 beneficial to you, right, that you can swipe and go,  
25 you didn't have to carry cash, right?

1 A. Right.

2 Q. And was that worth paying ten cents extra to  
3 you?

4 A. Honestly, I -- no. I think it should have  
5 just still been the same price. A dollar for that.  
6 I mean, I've come recently to find out why they do  
7 it, but to me it should have been labeled. Only  
8 because my mom owns a bar and she started having to  
9 charge for credit cards because of the fact that  
10 she's paying a fee every year. But she also put a  
11 sign up saying that she was doing that so customers  
12 when they came in know.

13 Q. Would you say you would make a purchase at  
14 the vending machines once a week, once a month,  
15 every day?

16 A. Mostly every day. There's probably only a  
17 few times a day -- or a few times in the week that I  
18 probably wouldn't make a purchase out of there but,  
19 mostly, that was what I would do.

20 Q. When did you learn that you were being  
21 charged ten cents extra for the use of a credit or  
22 debit card?

23 A. Honestly, after it was mentioned. I never  
24 paid attention to any of my bank statements. And  
25 then that same -- I do remember that same evening

1 going up there and then seeing that after you swipe  
2 the card, picked your item and then there was a ten  
3 cent thing at the end. But I never paid that  
4 attention. I just put my money in, wait for mine to  
5 come out and walk away.

6 Q. So tell me about that. When you, tell me  
7 about it. When you would make the purchase and it  
8 would say ten cents --

9 A. Uh-huh.

10 Q. -- charge on the screen?

11 A. Yep. Yeah, it'd be i the small little box.

12 Q. And that was the payment box that you're  
13 describing?

14 A. Yes. Yeah, it was right at the end after  
15 you made the purchase which, like I said, I never  
16 paid attention until after I was told. Because I  
17 hardly ever looked at my bank statements. I usually  
18 just looked on my phone to see how much money was in  
19 my account because I figured who cares if -- if  
20 something doesn't look like to me in my account,  
21 then I called the bank then.

22 Q. Okay. You described this person who told  
23 you about the ten cent charge. Do you recall when  
24 that -- when you were told that by her?

25 A. Definitely when I was working 1010 Market

1 still. I want to say that was maybe three, maybe  
2 four months before I signed off some paper that came  
3 by my desk. I just remember she mentioning it and  
4 saying that she wants to do something about it.

5 Q. Okay. Well, you said that they switched the  
6 machines out about whatever, what was it, three to  
7 four months before you left?

8 A. Right.

9 Q. Okay. And so about how many months before  
10 that was it that you learned about the ten cent  
11 charge?

12 A. I want to say it was about almost a year  
13 prior, but I want to say -- maybe not that long, but  
14 it felt like a year.

15 Q. Okay. So about --

16 A. I want to say maybe six, maybe seven months,  
17 somewhere around there. Might have been eight.

18 Q. So somewhere between six months to a year  
19 before the machines were switched out?

20 A. Uh-huh.

21 Q. Yes?

22 A. Yes. Sorry.

23 Q. That's okay. Did you help prepare the  
24 complaint that was filed in this case with your name  
25 on it as a plaintiff?

1 If you disagree with it --

2 MR. CORNFELD: No, I agree with what her  
3 testimony was earlier, she said --

4 MR. BROTMAN: Then it will reflect what her  
5 testimony was earlier.

6 Q. (By Mr. Brotman) So after you retained  
7 counsel and decided to become a plaintiff in this  
8 action, you continued to make purchases, right?

9 A. Yes.

10 Q. Again, looking at the -- the document in  
11 front of you, Exhibit 4, looks like the first item  
12 listed is October 6th, 2017, right, the first  
13 purchase?

14 A. Yes.

15 Q. And the last one is May 16, 2018?

16 A. Yes.

17 Q. Did you make any purchases prior to the  
18 October, 2017 date?

19 A. I most likely did, I just didn't have  
20 documentation of it because I only had those bank  
21 records saved. It is just these. The rest of them  
22 I either didn't print them out or I just never did  
23 get them in the mail. Somebody else snagged them  
24 before I could get to them.

25 Q. And your -- the last purchase listed was,

1 again, 2018. Does that help refresh your  
2 recollection as to when you may have left 1010  
3 Market?

4 A. Yes. I want to say I definite -- I probably  
5 left that year, most likely.

6 Q. In 2018?

7 A. Uh-huh.

8 Q. Yes?

9 A. Yes.

10 Q. So, the -- the May -- Well, strike that.

11 So do you recall whether or not you  
12 left in May of 2018?

13 A. I want to say it wasn't exactly May because  
14 I -- because that's when they were -- they had those  
15 new machines put in. And these -- those, the new  
16 machines were not on those bank statements, I do  
17 remember that. So I want to say it was probably  
18 close to, like, the end of the year. I want to say  
19 probably maybe October, maybe November. I do  
20 remember it was starting to get cold.

21 Q. Okay. So were any purchases made at the  
22 vending machines at 1010 Market after May 16, 2018?

23 A. Yes.

24 Q. And why are those not included in this  
25 complaint?

1           A.   Because I didn't have those bank statements.  
2   Those were most likely intercepted by my foster  
3   parents.   Because they would intercept everything  
4   that came in the mail.   Which is part of the reason  
5   why I was in the process of trying to get away from  
6   them.

7           Q.   Other than the complaints that were sent to  
8   you, do you recall receiving or reading any other  
9   documents that were filed or presented in this case?

10          A.   Just the ones I want to say I was received  
11   recently, which I have, I want to say I have one in  
12   the car, but I didn't look at it.

13          Q.   Okay.   And you said recently.   You mean  
14   within the last month or two?

15          A.   Couple days.   I received something yesterday  
16   prior to this.

17          Q.   Once you became aware that you were being  
18   charged an extra ten cents to use a debit or credit  
19   card at the vending machines, did you tell anyone  
20   else at your place of work or place of business  
21   about that charge?

22          A.   No, I didn't.   I figured, I figured people  
23   were probably already told or already seen it.  
24   Yeah.   No, when I was employed, I was told to not to  
25   really speak to many people in the building.   It was

1 Q. Taking a look at PL 45 and 46 of Exhibit 5.

2 A. Okay.

3 Q. Do you see the, below the connect sticker  
4 there is a label there that says the prices  
5 displayed on this machine are ten cents lower than  
6 the retail place and are available on cash purchases  
7 only?

8 A. Yes.

9 Q. Did I read that accurately?

10 A. It did not, at the time when I was  
11 originally making purchases, that was not there.

12 Q. Okay. And we'll get -- I'm not trying to  
13 suggest it was. But did I read --

14 A. Oh.

15 Q. -- I just want to make sure I read the  
16 context into the record correctly.

17 A. Yes.

18 Q. Okay. So, do you know when -- Well, strike  
19 that.

20 Okay. So you just said that those  
21 were not, that sticker was not there when you made  
22 purchases, right?

23 A. Right.

24 Q. Okay. Do you know when that sticker may  
25 have been applied?



1           A.   Definitely after the, after signing  
2           something.   So, eventually, there was a sticker put  
3           on, I just don't remember when.

4           Q.   Sometime before you left 1010 Market?

5           A.   Yes.   Because I remember them switching out  
6           those machines prior to me leaving.

7           Q.   So -- Right.   So that's a good point.   So  
8           even -- so this was applied before they even  
9           switched out the machines?

10          A.   Yes.   Yeah, no, they sold the building to a  
11          new owner and the new owner wanted to switch  
12          everything out.   Because she wanted to provide more  
13          healthy choices for the people working there.   That  
14          way they had some more -- somewhat of a variety  
15          instead of just chips and chips -- chips and soda.

16          Q.   Do you recall how many months prior to them  
17          switching out machines that you saw this sticker?

18          A.   I want, maybe five, five months.   It wasn't  
19          that long.

20          Q.   All right.   We'll go to Exhibit 6.

21                               (Whereupon, Defendant's  
22                               Deposition Carter Exhibit No. 6  
23                               was marked for identification by  
24                               the reporter.)

25          Q.   (By Mr. Brotman) Okay.   Now I'll show you

1 Q. Does that help refresh your recollection as  
2 to when you provided bank statements?

3 A. Yes.

4 Q. So when do you think that occurred?

5 A. I want to say I probably provided them  
6 probably three days later. Because I was -- because  
7 I just told them I said, I have what I -- I can  
8 provide what I have, but I said other than that, I  
9 can't provide anything because I didn't have a car,  
10 so it's not like I could even get to the bank.

11 Q. So tell me what you did to locate any  
12 documents? What did you look for?

13 A. Just bank statements that I already had  
14 lying around that I was able to snag up before  
15 foster parents could get to them. And that's the  
16 ones that you see in the file. That's the only ones  
17 I was able to acquire.

18 Q. Were you asked to locate any other  
19 documents?

20 A. I was. I just -- I told him I wasn't --  
21 that, most likely, would not be an option. I could  
22 not get to a bank to locate to get to all of them.

23 Q. But that was other bank statements you were  
24 asked about?

25 A. Yes.

1 Q. Are there any other types of documents that  
2 you were asked to locate or look for?

3 A. No, just bank statements.

4 Q. Did you try to go on line to look for any  
5 bank statements?

6 A. The problem with that bank is that they  
7 didn't really have an on line section at the time.  
8 I mean, they were, it was just a local bank. They  
9 weren't really set up. It was just some free  
10 banking and I was like, sweet, I'll take it. They  
11 didn't really have much for like on line or anything  
12 like that.

13 You could just go on line to see what  
14 your bank statement is for that day, but you  
15 couldn't -- or how much is in your account, but you  
16 couldn't really look up previous accounts, which is  
17 kind of the same thing I'm doing right now. I  
18 can -- if I go on my bank account right now, I can  
19 look to see how much is in there, I just can't look  
20 to see previous purchases.

21 Q. Okay. There's -- okay. So at the time when  
22 you were asked to look for bank statements, you did  
23 try to get on line to find some, but you just could  
24 not is that what you're saying?

25 A. Yes.

1 Q. Take a look at request number one there on  
2 the first page of Exhibit 6. Seeking the production  
3 of all documents relating to or evidencing purchases  
4 made by you at the machines; do you see that? It's  
5 the very first one, the first page right below  
6 request to produce number one.

7 A. Oh, okay. Yes, now I see it.

8 Q. Okay. And do you have any other records or  
9 do you maintain any other records other than bank  
10 statements that would show your purchases from  
11 vending machines?

12 A. No, I do not.

13 Q. And your response there to number one, you  
14 said, "See documents Bates stamped PL 1 through PL  
15 17"?

16 A. Yes.

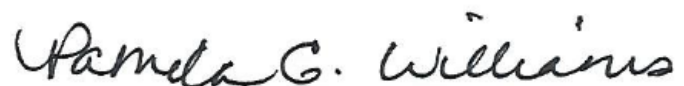
17 Q. Okay. I'll just confirm with the proper  
18 documents here, Exhibit 7.

19 (Whereupon, Defendant's  
20 Deposition Carter Exhibit No. 7  
21 was marked for identification by  
22 the reporter.)

23 Q. (By Mr. Brotman) This is a group exhibit of  
24 bank statements. Do you see -- Is that right -- is  
25 that right? Is that a exhibit of bank statements?

## CERTIFICATE OF REPORTER

I, Pamela G. Williams, Certified Shorthand Reporter, within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



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Certified Shorthand Reporter  
within the State of Missouri